

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**LEANARD A. CALABREE and,  
JULIA MANIERI as Executors of the  
Estate of Lucille Calabree,  
Plaintiffs,  
v.**

**EATON MEDICAL PLAN FOR  
RETIREEES  
Defendant.**

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**CIVIL ACTION  
NO. 13-828**

**ORDER**

**AND NOW**, this 14<sup>th</sup> day of April, 2016, upon consideration of Defendant's Motion for Summary Judgment (Dkt No. 39), Plaintiffs' Response in Opposition to Defendant's Motion for Summary Judgment (Dkt No. 42), and Defendant's Reply in Support of Motion for Summary Judgment (Dkt No. 46), it is hereby **ORDERED** that Defendant's Motion for Summary Judgment is **GRANTED**.

**JUDGMENT** is hereby **ENTERED** in favor of Eaton Medical Plan for Retirees.

The Clerk's Office is hereby directed to **CLOSE** this matter.

BY THE COURT:

/s/ C. Darnell Jones, II

C. DARNELL JONES, II      J.